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Message Text

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20
ORIGIN EUR-12

INFO OCT-01 ISO-00 IO-10 ERDA-05 FEA-01 ACDA-05 CIAE-00

INR-07 L-02 NSAE-00 NSC-05 EB-07 NRC-05 OES-03 PA-01

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DRAFTED BY EUR/CE:BBISHOP:LR
APPROVED BY IO: MR. BLAKE
IO/UNP: MR. SCHALLER
EUR/CE: MR. ANDERSON
---------- 013941
R 042351Z APR 75
FM SECSTATE WASHDC
TO AMEMBASSY VIENNA
INFO AMEMBASSY BONN
USMISSION USBERLIN
AMEMBASSY LONDON
AMEMBASSY PARIS
AMEMBASSY MOSCOW

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E.O. 11652: N/A

TAGS: PFOR, WB, US, UK, UR, FR, UN, PO, CZ, UNESCO, IAEA,
WMO, GW
SUBJECT: REPLIES TO VARIOUS PROTESTS RELATING TO FRG
REPRESENTATION OF WEST BERLIN

FOR US MISSION IAEA

1. FOLLOWING IS THE TEXT OF A REPLY TO A NOTE CIRCULATED
IN IAEA BY THE GDR PROTESTING FRG REPRESENTATION OF WEST
BERLIN IN IAEA AGREEMENT ON PRIVILEGES AND IMMUNITIES.
TEXT OF REPLY WAS AGREED UPON IN CONSULTATIONS BY US, UK,

FRANCE AND FRG IN BONN GROUP, WHICH ALSO DECIDED THAT IT
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WOULD BE DELIVERED ON BEHALF OF THREE ALLIES BY UK.

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LATTER IS THE ONLY ONE OF THREE ALLIES WHICH IS SIGNATORY TO PRIVILEGES AND IMMUNITIES AGREEMENT.

2. BEGIN TEXT.

(1) (OPENING PARAGRAPH REFERRING TO THE RELEVANT CIRCULAR NOTE.)

(2) THE COMMUNICATION NOTED ABOVE CONTAINS A NOTE WHICH REFERS TO THE QUADRIPARTITE AGREEMENT OF SEPTEMBER 3, 1971. THIS AGREEMENT WAS CONCLUDED IN BERLIN BETWEEN THE

GOVERNMENTS OF THE FRENCH REPUBLIC, THE UNION OF THE SOVIET SOCIALIST REPUBLICS, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, AND OF THE UNITED STATES OF AMERICA. THE GOVERNMENT SENDING THE NOTE IS NOT A PARTY TO THE QUADRIPARTITE AGREEMENT AND IS THEREFORE NOT COMPETENT TO MAKE AUTHORITATIVE COMMENT ON ITS PROVISIONS.

(3) THE GOVERNMENT OF (BLANK) WISHES TO BRING THE FOLLOWING TO THE ATTENTION OF THE STATES PARTIES TO THE CONVENTIONS REFERRED TO IN THE ABOVE MENTIONED COMMUNICATION. WHEN AUTHORIZING THE EXTENSION OF THIS CONVENTION TO THE WESTERN SECTORS OF BERLIN THE AUTHORITIES OF THE THREE POWERS ACTING IN THE EXERCISE OF THEIR SUPREME AUTHORITY ENSURED IN ACCORDANCE WITH ESTABLISHED PROCEDURES THAT THIS CONVENTION IS APPLIED IN THE WESTERN SECTORS OF BERLIN IN SUCH A WAY AS NOT TO AFFECT MATTERS OF SECURITY AND STATUS.

(4) ACCORDINGLY, THE APPLICATION OF THIS CONVENTION TO THE WESTERN SECTORS OF BERLIN CONTINUES IN FULL FORCE AND EFFECT.

(5) THE GOVERNMENT OF (BLANK) DOES NOT CONSIDER IT NECESSARY TO RESPOND TO ANY FURTHER COMMUNICATIONS OF A SIMILAR NATURE BY STATES WHICH ARE NOT SIGNATORIES TO THE QUADRIPARTITE AGREEMENT. THIS SHOULD NOT BE TAKEN TO

IMPLY ANY CHANGE IN THE POSITION OF THE (BLANK)
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GOVERNMENT ON THIS MATTER.

(6) (APPROPRIATE FORM OF WORDS TO ACHIEVE SAME DISTRIBU-TION AS THE NOTES REFERRED TO ABOVE.)

3. FOR YOUR INFORMATION, FOLLOWING IS TEXT OF AGREED REPLY TO BE DELIVERED BY FRG IN RESPONSE TO THE ABOVE NOTE. BEGIN TEXT.

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1) I HAVE THE HONOUR TO REFER TO THE FOLLOWING DOCUMENTS:
(THERE SHOULD FOLLOW LIST OF THE RELEVANT CIRCULAR NOTES)

2) WITH REGARD TO THESE COMMUNICATIONS, THE PERMANENT REPRESENTATIVE OF THE FEDERAL REPUBLIC OF GERMANY HAS THE HONOUR TO COMMUNICATE THE FOLLOWING:

BY THEIR NOTES OF . . . . , DISSEMINATED BY CIRCULAR NOTES . . . OF . . ., THE GOVERNMENTS OF FRANCE, THE UNITED KINGDOM AND THE UNITED STATES ANSWERED THE ASSERTIONS MADE IN THE COMMUNICATIONS REFERRED TO ABOVE. THE GOVERNMENT

OF THE FEDERAL REPUBLIC OF GERMANY ON THE BASIS OF THE LEGAL SITUATION SET OUT IN THE NOTES OF THE THREE POWERS WISHES TO CONFIRM THAT THE APPLICATION IN BERLIN (WEST) OF THE ABOVE MENTIONED CONVENTIONS EXTENDED BY IT UNDER THE ESTABLISHED PROCEDURES CONTINUES IN FULL FORCE AND EFFECT.

3) THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY WISHES TO POINT OUT THAT THE ABSENCE OF A RESPONSE TO FURTHER COMMUNICATIONS OF A SIMILAR NATURE SHOULD NOT BE TAKEN TO IMPLY ANY CHANGE OF ITS POSITION IN THIS MATTER.

4) (APPROPRIATE FORM OF WORDS TO ACHIEVE SAME DISTRIBUTION AS THE NOTES REFERRED TO ABOVE.)

END TEXT.

4. REQUEST YOU CONSULT WITH UK, FRENCH AND FRG REPS TO VERIFY ACCURACY OF TEXTS AND MODALITIES OFUK DELIVERY. PLS ADVISE DEPARTMENT WHEN DELIVERY HAS BEEN EFFECTED.
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Message Attributes

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Control Number: n/a
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Draft Date: 04 APR 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: MorefiRH
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
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Disposition History: n/a
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